

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES CORMAN, ENERGY
ALTERNATIVE STUDIES, INC. AND
THE ENERGY ALTERNATIVE
STUDIES INC. HEALTH AND
WELFARE PLAN,

Plaintiffs,

v.

THE NATIONWIDE LIFE INSURANCE
COMPANY,

Defendant.

CIVIL ACTION

NO. 17-3912

ORDER

AND NOW, this 26th day of July, 2022, upon consideration of Plaintiffs' Motion for Partial Summary Judgment (ECF No. 78), Defendant's Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motion (ECF Nos. 84-85), Plaintiffs' Brief in Opposition to Defendant's Motion and in Support of its Motion (ECF No. 88-89), Defendant's Reply Brief in Further Support of its Motion (ECF No. 91), and the Parties' Joint Appendix in support of their Motions (ECF No. 94), **IT IS HEREBY ORDERED** as follows:

1. Plaintiffs' Motion is **GRANTED** as to their Section 1132(a)(2) ERISA claim premised on the purported 2002 change of policy ownership.
2. Defendant's Motion is **GRANTED** as to Plaintiffs' RICO Claims under 18 U.S.C. § 1962(c), which claims are **HEREBY DISMISSED**.
3. The Parties' Motions are **DENIED** in all other respects.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.